

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN THE MATTER OF THE APPLICATION	)	
OF THE UNITED STATES OF AMERICA	)	Criminal Docket No. 07-524M
FOR AN ORDER DIRECTING A	)	
PROVIDER OF ELECTRONIC	)	Judge Terrence F. McVerry
COMMUNICATION SERVICE TO	)	
DISCLOSE RECORDS TO THE	)	
GOVERNMENT	)	

**BRIEFING ORDER**

Currently pending is the Government's appeal from a February 19, 2008 Opinion by Magistrate Judges of this Court. This action presents, as a matter of first impression in this Circuit, issues regarding the Government's entitlement to cell-phone-derived location information, by *ex parte* Order under the provisions of electronic communications legislation and absent a showing of probable cause. Owing to the importance and novelty of these issues, the Court is of the opinion that further briefing is warranted.

Accordingly, it is hereby ORDERED that:

(1) The Electronic Frontier Foundation, Professor Susan Freiwald, and the Federal Public Defender for the Western District of Pennsylvania, are appointed *amici curiae*;

(2) Said *amici*, together with such other interested organizations and persons as may join in their filings, including but not limited to the Electronic Privacy Information Center and the Center for Democracy and Technology, are hereby invited to submit Briefs to the Court on or before thirty (30) days from the date of this Order; and

(3) Said *amici* shall be added to the Case ECF Docket as Attorneys to be Noticed as follows:

Electronic Frontier Foundation  
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Dated: May 2, 2008

BY THE COURT:

/s/ Terrence F. McVerry  
Terrence F. McVerry  
U. S. District Judge